

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:-

THE HONOURABLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

TUESDAY, THE 5TH JUNE 2007 / 15TH JYAISHTA 1929

W.P.(C).No.17036 of 2007(S)

PETITIONER:-

NOUSHAD VAZHAVALAPPIL, 6TH SEMESTER LL.B. STUDENT,
SCHOOL OF LEGAL STUDIES, KANNUR UNIVERSITY,
THALASSERY CAMPUS, PALAYAD P.O., KANNUR DISTRICT.

BY ADV. SRI.T.K.VIPINDAS

RESPONDENTS:-

1. THE KANNUR UNIVERSITY, REPRESENTED BY ITS REGISTRAR,
KANNUR UNIVERSITY CAMPUS, MANGATTUPARAMBA, KANNUR DISTRICT.
2. THE SYNDICATE, REPRESENTED BY ITS CHAIRMAN,
KANNUR UNIVERSITY CAMPUS, MANGATTUPARAMBA, KANNUR DISTRICT.
3. DINKAR V.R., READER IN LAW, DEPARTMENT OF LAW,
SCHOOL OF LEGAL STUDIES, KANNUR UNIVERSITY,
THALASSERY CAMPUS, PALAYAD P.O., KANNUR DISTRICT.
4. THE UNIVERSITY GRANTS COMMISSION,
BAHADUR SHAH SAFAR MARG, NEW DELHI-2,
REPRESENTED BY SECRETARY.

R1 BY STANDING COUNSEL SRI.M.SASEENDRAN.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 05/06/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:-

H.L.Dattu,C.J. & K.T.Sankaran,J.

W.P.(C).No.17036 of 2007-S

Dated, this the 5th day of June, 2007

JUDGMENT

H.L.Dattu,C.J.

The petitioner is the 6th Semester Law student of the School of Legal Studies, Kannur University.

2. In this petition filed under Article 226 of the Constitution, the petitioner calls in question the appointment of the 3rd respondent to the post of Reader in Law in the Department of Law, School of Legal Studies. The petition so filed by the petitioner has all the resemblance of a service matter. Petition of this nature cannot be entertained by us in view of the law declared by the apex Court in *Kushum Lata v. Union of India* [(2006) 6 SCC 180]. In the said decision, the Supreme Court has observed as under:

“Though in *Duryodhan Sahu (Dr.) v. Jitendra Kumar Mishra* [(1998) 7 SCC 273] this Court held that in service matters PILs should not be entertained, the inflow of so-called PILs involving service matters by competitors continue unabated in the courts and strangely are entertained. The least the High Courts could do is to throw them out on the basis of the said decision”.

(emphasis supplied)

3. In view of the law declared by the apex Court, in our opinion, this writ petition cannot be entertained by us and the same requires to be rejected and it is rejected without reference to the respondents.

Ordered accordingly.

H.L.Dattu
Chief Justice

K.T.Sankaran
Judge

vku/-